

Program A: Administrative

Program Authorization: R.S. 28:64

PROGRAM DESCRIPTION

The mission of the Administrative Program of the Mental Health Advocacy Service (MHAS) is to ensure that the rights of the mentally disabled are protected by: (1) making legal representation available to the respondent in every civil commitment proceeding in Louisiana; (2) providing legal representation during the initial stages of confinement for every indigent person involuntarily admitted for mental health treatment; (3) providing legal representation for every person who has been civilly committed, subsequent to their civil commitment; and (4) providing legal representation to juveniles committed to mental institutions. The program also acts as a clearinghouse for information relative to the rights of mentally disabled persons.

The goals of the Administrative Program of the Mental Health Advocacy Service are:

1. Provide trained legal representation to every adult and juvenile patient in mental health treatment facilities in Louisiana at all stages of the civil commitment process.
2. Ensure that the legal rights of all mentally disabled persons are protected.

In order to provide services on a statewide basis, the Mental Health Advocacy Service (MHAS) is broken down into the administrative headquarters in Baton Rouge and six agency field offices located around the state. The offices litigate more than 140 cases each month. In addition, the MHAS responds to over 6,500 requests for information annually, provides training for over 2,200 persons annually, addresses numerous systems issues (issues that affect the rights of more than one disabled person and require a change in policy or practice to be remedied), and participates in the community by sitting on boards and commissions. The program also acts as a clearinghouse for information relative to the rights of mentally disabled persons.

It is expensive to provide psychiatric hospitalization in state mental hospitals and the cost is paid with state--not federal dollars. Alternatives to full-time hospitalization are sought by MHAS attorneys on behalf of their clients. These alternatives (which might include commitment to a community mental health center as an outpatient or discharge on the condition that the person continue to take medication) represent a cost savings to the state because expensive inpatient hospitalization is avoided. In addition, MHAS attorneys determine whether clients are willing to accept treatment on a voluntary basis, thus avoiding the need of judicial hearings; and MHAS attorneys attempt to resolve as many cases before trial as possible. In this way, both judicial and professional time and expenses are saved.

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2000-2001. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

The objectives and performance indicators that appear below are associated with program funding in the Base Executive Budget for FY 2000-01. Specific information on program funding is presented in the financial sections that follow performance tables.

1. (KEY) To provide legal representation to every adult and juvenile patient in mental health treatment facilities in Louisiana at all stages of the civil commitment process.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Percentage of commitment cases where patient is discharged or diverted to less restrictive setting	57%	55%	46%	46%	50%	50%
K	Percentage of commitment cases resulting in conversion to voluntary status	20%	13%	20%	20%	13%	13%
K	Percentage of commitment cases settled before trial	55%	51%	55%	55%	51%	51%
S	Number of civil commitment hearings	875	1,095	1,060	1,060	1,050	1,050
S	Number of open cases ¹	Not applicable ²	1,016	1,075	1,075	1,075	1,075
S	Number of juvenile hearings	620	441	620	620	475	475
S	Number of probable cause hearings and habeas corpus proceedings	180	173	180	180	175	175
S	Number of periodic review hearings	208	405	275	275	385	385

¹ Open cases include cases in which the program has a continuing duty to provide legal representation. This is a cumulative indicator in that these cases may extend over the course of several fiscal years.

² This was a new performance indicator for FY 1999-00. It did not appear under Act 19 of 1998 and has no FY 1998-99 performance standard.

GENERAL PERFORMANCE INFORMATION: LITIGATION CASES					
PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1994-95	PRIOR YEAR ACTUAL FY 1995-96	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99
Total number of litigated cases	Not available	1,732	1,899	2,245	2,255

2. (KEY) To provide legal representation to all mental patients involved in medication review hearings and all mental patients requesting representation in interdiction proceedings.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Number of interdiction cases litigated	Not applicable ¹	15	20	20	20	20
K	Number of interdictions in which interdiction is denied or limited interdiction is the result	Not applicable ¹	Not available ²	15	15	13	13
S	Number of medication review hearings	Not applicable ¹	75	75	75	60	60
K	Number of medication review hearings which result in a change in medication	Not applicable ¹	32	35	35	28	28

¹ This was a new performance indicator for FY 1999-00. It did not appear under Act 19 of 1998 and has no FY 1998-99 performance standard.

² Performance data for this performance indicator were not tracked in FY 1998-99.

3. (SUPPORTING) To successfully address 25 or more "systems" issues impacting persons with mental disabilities.

Explanatory Note: "Systems" issues involve a change in a law, policy or regulation. Examples include state laws governing seclusion and restraint of mental patients, or a particular hospital's policy on patients' communication rights.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Number of "systems" issues positively impacted by "systems" changes	Not applicable ¹	24	25	25	25	25
S	Estimated number of mentally disabled persons positively impacted by "systems" changes	Not applicable ¹	1,200	1,200	1,200	1,200	1,200

¹ This was a new performance indicator for FY 1999-00. It did not appear under Act 19 of 1998 and has no FY 1998-99 performance standard.

4. (SUPPORTING) To provide training on rights of persons with disabilities to over 1,500 persons.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Number of persons trained on patient rights	Not applicable ¹	1,484	1,900	1,900	1,500	1,500
S	Number of persons trained per staff attorney	Not applicable ¹	150	190	190	150	150

¹ This was a new performance indicator for FY 1999-00. It did not appear under Act 19 of 1998 and has no FY 1998-99 performance standard.

5. (SUPPORTING) To provide over 7,000 information and referral services.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Number of information or referral services provided	Not applicable ¹	Not available ¹	Not applicable ¹	7,500 ¹	7,000	7,000

¹ This is a new performance indicator. It did not appear under Act 19 of 1998 or Act 10 of 1999 and has no performance standards for FY 1998-99 or FY 1999-00. Performance data for this performance indicator were not tracked in FY 1998-99. The value show for existing performance standard is an estimate not a standard.

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 1998-1999	ACT 10 1999- 2000	EXISTING 1999- 2000	CONTINUATION 2000 - 2001	RECOMMENDED 2000 - 2001	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$690,955	\$754,749	\$754,749	\$774,850	\$789,827	\$35,078
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	0	0	0	0	0	0
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	\$690,955	\$754,749	\$754,749	\$774,850	\$789,827	\$35,078
EXPENDITURES & REQUEST:						
Salaries	\$493,207	\$567,104	\$567,104	\$593,360	\$583,008	\$15,904
Other Compensation	23,237	13,200	13,200	13,200	13,200	0
Related Benefits	89,506	104,500	104,500	108,111	110,770	6,270
Total Operating Expenses	69,564	43,770	43,770	45,913	68,346	24,576
Professional Services	0	2,284	2,284	2,343	2,284	0
Total Other Charges	10,804	11,728	11,728	11,723	12,019	291
Total Acq. & Major Repairs	4,637	12,163	12,163	200	200	(11,963)
TOTAL EXPENDITURES AND REQUEST	\$690,955	\$754,749	\$754,749	\$774,850	\$789,827	\$35,078
AUTHORIZED FULL-TIME EQUIVALENTS: Classified	14	14	14	14	14	0
Unclassified	1	1	1	1	1	0
TOTAL	15	15	15	15	15	0

SOURCE OF FUNDING

This program is funded with State General Fund.

ANALYSIS OF RECOMMENDATION

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$754,749	\$754,749	15	ACT 10 FISCAL YEAR 1999-2000
			BA-7 TRANSACTIONS:
\$0	\$0	0	None
\$754,749	\$754,749	15	EXISTING OPERATING BUDGET – December 3, 1999
\$13,176	\$13,176	0	Annualization of FY 1999-2000 Classified State Employees Merit Increase
\$16,691	\$16,691	0	Classified State Employees Merit Increases for FY 2000-2001
\$183	\$183	0	Risk Management Adjustment
(\$12,163)	(\$12,163)	0	Non-Recurring Acquisitions & Major Repairs
(\$17)	(\$17)	0	Maintenance of State-Owned Buildings
(\$7)	(\$7)	0	UPS Fees
(\$11,775)	(\$11,775)	0	Salary Base Adjustment
\$296	\$296	0	Civil Service Fees
\$200	\$200	0	Other Adjustments for the ISIS Systems Statewide Assessment needs
\$28,494	\$28,494	0	Other Adjustments to adequately fund operating expenses
\$789,827	\$789,827	15	TOTAL RECOMMENDED
\$0	\$0	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$789,827	\$789,827	15	BASE EXECUTIVE BUDGET FISCAL YEAR 2000-2001
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$789,827	\$789,827	15	GRAND TOTAL RECOMMENDED

The total means of financing for this program is recommended at 104.8% of the existing operating budget. It represents 92.5% of the total request (\$854,801) for this program. The significant difference between total recommended and existing operating budget is attributable to additional operating expenses due to a projected shortfall in FY 99-00.

PROFESSIONAL SERVICES

\$2,284	Medical services contract for clients
\$2,284	TOTAL PROFESSIONAL SERVICES

OTHER CHARGES

	Interagency Transfers:
\$1,946	Department of Civil Service
\$9,053	Maintenance of state-owned buildings
\$1,020	Office of Uniform Payroll System
\$12,019	TOTAL OTHER CHARGES

ACQUISITIONS AND MAJOR REPAIRS

\$200	Computer accessories
\$200	TOTAL ACQUISITIONS AND MAJOR REPAIRS